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Amendments to the Claims

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (currently amended) A handheld biopsy instrument comprising:
  - a. a hollow, biopsy, insertion needle having an axially extending open specimen port at its distal end,
  - b. an elongated, rotatable, tissue specimen cutter slidably received within said biopsy insertion needle, wherein the cutter has a distal end,
  - c. an elongated flexible push rod slidably received within said needle and parallel to said cutter, said push rod extending to the distal end of said needle,
  - d. means for applying a first vacuum within the distal end of said needle whereby a portion of the tissue to be sampled is drawn into said specimen port when said needle is inserted into the tissue to be sampled,
  - e. means for advancing said cutter toward the distal end of said needle,
  - f. means for rotating said cutter as said cutter advances within said needle, whereby said cutter cuts and encapsulates the portion of said tissue contained within said specimen port, [[and]]
  - g. means for advancing said flexible push rod axially toward the distal end of said needle, and
  - h. means at the distal end of said needle for causing said push rod to turn 180 degrees thereby reversing its direction of movement from a distal direction to a proximal direction, whereby said push rod end enters said cutter from the distal end of the cutter, engages said encapsulated tissue specimen therein, thereby moving said tissue specimen axially toward the proximal end of said cutter.
2. (canceled)

3. (previously presented) The biopsy instrument of Claim 1 wherein the biopsy insertion needle comprises an upper lumen and a lower lumen.

4. (previously presented) The biopsy instrument of Claim 3 wherein the distal end of the cutter is received within the upper lumen.

5. (previously presented) The biopsy instrument of Claim 3 wherein at least a portion of the push rod is slidably received in the lower lumen.

6. (previously presented) The biopsy instrument of Claim 5 wherein lower lumen communicates with a source of vacuum.

7. (previously presented) The biopsy instrument of Claim 1 comprising a specimen collection tube, and wherein the specimen tube is removable from the biopsy instrument.

8. (previously presented) The biopsy instrument of Claim 1 comprising a specimen collection tube, and wherein the specimen tube and the cutter are configured to advance and retract in unison.

9. (currently amended) A handheld biopsy instrument comprising:

a biopsy needle having a tissue piercing distal tip and a tissue receiving port disposed proximal of the tissue piercing distal tip, wherein the biopsy needle further comprises a first lumen for receiving a cutter, and a second lumen, wherein the second lumen is external to and parallel to the first lumen, wherein the tissue receiving port is in communication with the first lumen;

a hollow cutter having a distal end, wherein the distal end of the cutter is slidably received within the first lumen of the biopsy needle, and wherein the cutter is

rotatable and translatable within the first lumen of the biopsy needle for severing tissue received in the tissue receiving port of the biopsy needle;

an elongated, flexible push rod, wherein at least a portion of the push rod is slidably received within the second lumen of the needle and extends external to and parallel to the cutter; and

a specimen tube for receiving tissue severed by the hollow cutter.

10. (currently amended) A handheld biopsy instrument comprising:

a biopsy needle having a tissue piercing distal tip and a tissue receiving port disposed proximal of the tissue piercing distal tip;

a hollow cutter having a distal end, wherein the distal end of the cutter is slidably received within the biopsy needle, and wherein the cutter is rotatable and translatable within the biopsy needle for severing tissue received in the tissue receiving port of the biopsy needle;

a flexible push rod, wherein a portion of the flexible push rod is adapted to move distally within the needle, and wherein [[an]] a distal end of the flexible push rod is adapted push a tissue sample in a proximal direction into the hollow cutter in response to distal pushing on a proximal portion of the flexible push rod.

11. (previously presented) The biopsy instrument of Claim 10 wherein the biopsy insertion needle comprises an upper lumen and a lower lumen .

12. (previously presented) The biopsy instrument of Claim 11 wherein the distal end of the cutter is received within the upper lumen.

13. (previously presented) The biopsy instrument of Claim 11 wherein at least a portion of the flexible push rod is slidably received in the lower lumen .

14. (previously presented) The biopsy instrument of Claim 10 wherein the distal end of the flexible push rod is turned about 180 degrees during operation of the biopsy instrument.

15. (previously presented) The biopsy instrument of Claim 10 further comprising a specimen receiver wherein the specimen receiver is removable from the biopsy instrument.

16. (previously presented) The biopsy instrument of Claim 15 wherein the specimen receiver and the cutter are configured to advance and retract in unison.